

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JULE CROWELL,

Plaintiff,

v.

COWLITZ COUNTY, et al.,

Defendants,

and

CONMED, Inc.,

Intervener.

CASE NO. C14-5153 BHS

ORDER DENYING MOTION TO
MODIFY SCHEDULING ORDER

This matter comes before the Court on Intervener Conmed, Inc. (“Conmed”) and Defendant Cowlitz County’s (“County”) motion to modify scheduling order (Dkt. 63).

On December 16, 2014, Conmed and the County filed the instant motion requesting essentially a five-month extension of all pretrial deadlines for the three consolidated cases because Conmed and the County are prejudiced under the current scheduling order. *Id.* On January 5, 2015, Plaintiffs responded arguing that there is no

1 actual prejudice at this time and only speculation. Dkt. 66. On January 9, 2015, Conmed
2 and the County replied. Dkt. 68.

3 In this case, the Court agrees with Plaintiffs that any prejudice is speculative at
4 this time and that the parties should engage in a good faith attempt to complete discovery
5 under the current case schedule. As stated in the initial orders, the “Court expects that
6 most civil cases will be ready for trial within a year after filing the Joint Status Report
7 and Discovery Plan.” Dkt. 4 at 4. The due date for the Joint Status Report for the latest
8 filed case was November 25, 2014. *See* C14-5672, Dkt. 3. Thus, the current trial date of
9 November 3, 2015, is within the Court’s expectations and normal practice, and the parties
10 should be able to complete discovery on all cases within the current time frame.

11 The Court, however, does agree with the County and Conmed that each case
12 should have a separate trial date at this time because, currently, they will be tried
13 separately. The Court’s earliest available trial dates are December 8, 2015 for Cause No.
14 14-5385 and February 2, 2016 for Cause No. 14-5672. Therefore, the motion to modify
15 the scheduling order is **DENIED** and the Clerk shall set the trial dates set forth above.

16 Dated this 15th day of January, 2015.

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19 BENJAMIN H. SETTLE
20 United States District Judge
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